

## Merthyr Tydfil County Borough Council

### PRIVACY NOTICE

### DISCRETIONARY HOUSING PAYMENTS

This notice has been written in accordance with the General Data Protection Regulation and relevant legislation

## Information Governance Team

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Data Protection Officer

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Data Disclosure and Records Officer

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[data.protection@merthyr.gov.uk](mailto:data.protection@merthyr.gov.uk), 01685 725000

## 1. IMPORTANT INFORMATION

Merthyr Tydfil County Borough Council is responsible for deciding how we hold and use personal data we collect. We are required under the data protection legislation to notify you of the information contained in this privacy notice. This notice does not form part of any contract to provide services. We may update this notice at any time if we do, we will ensure that an updated copy of this notice is made available to you as soon as reasonably practical.

It is important that you read this privacy notice together with our [Privacy Standards Policy and full privacy notice](#) which contains more detailed information about our data processing and can be accessed on our website.

This privacy notice provides information on how we use your personal data to administer the discretionary housing payments which support households who receive Housing Benefit or the Housing Cost Element of Universal Credit and have a shortfall in their rent which is unaffordable. The Council will be assessing applications and issuing payments in line with the guidance set out by the Department for Work and Pensions.

## 2. WHO WE ARE

Merthyr Tydfil County Borough Council is the data controller therefore we are responsible for the personal data we hold. The Council is made up of different departments, details of which can be found on our [website](#). When we mention the Department, we are referring to the Benefits Section who is responsible for processing your data for the services detailed in this privacy notice.

This notice applies to the clients of the Department which includes all individuals who apply for the discretionary housing payment.

Merthyr Tydfil County Borough Council has appointed a Data Protection Officer who can be contacted using the details at the top of this notice.

## 3. WHAT PERSONAL DATA IS USED

We may collect, use, store and transfer different kinds of personal data about you as follows:

- Personal descriptors which include your name, address, email address, telephone number, date of birth
- Identification numbers, including your national insurance number
- Credit information such as your credit history
- Financial data, such as your bank details
- Employment data, such as your job title, employment history, this may also include whether you serve in the armed forces
- Geospatial data, such as your MAC address or IP address

We may also use and store demographic data which provides context to your personal data, such as:

- Lifestyle data, this data will include your marital status and your financial status.
- Data that relates to your family life such as the number of people living in your household, your relationships, whether children are of school age, whether your children are older and are in university or are no longer living at home.

There are special categories of more sensitive personal data which require a higher level of protection. We collect, store and use the following special categories of personal data about you:

- Racial or ethnic origin
- Biometric data
- Health including physical and mental health

## 4. HOW YOUR PERSONAL DATA IS COLLECTED

We collect personal data about you through our online [discretionary housing payments form](#).

We will input your personal data into our Council computer systems called Northgate. Your personal data is stored on the Council's secure computer servers and only authorised personnel can access it. All personnel that have access to your personal data are provided with annual data protection and information security training.

We may sometimes collect additional personal data from third parties including the Department of Work and Pensions.

We will collect additional personal data during our Council business functions and the services we provide to you throughout your contact with us. For more information about how your personal data is used in other service areas please visit our privacy notice [webpage](#).

5. LEGAL BASIS FOR PROCESSING

We will only use your personal data where the data protection legislation allows us too. These will include the provisions set out under the [General Data Protection Regulations](#) and where relevant the [Data Protection Act 2018](#). We will use your personal data in the following circumstances:

- Article 6(1)(c) which relates to a legal obligation
- Article 6(1)(e) which relates to a public task

6. SHARING YOUR PERSONAL DATA

We may share your personal data across the Department to provide you with the support you require, we will also share your data internally with other Departments which includes:

- |                |   |   |
|----------------|---|---|
| Audit          | - | In cases where benefit fraud has been detected the Councils Audit team will be responsible for investigating the concern. |
| Legal Services | - | If there are any legal issues arising from your records we will liaise with our Legal Team accordingly.                   |

To ensure we can carry out these services we will also be required to share your personal data with external organisations which will include the Department of Work and Pensions

The Council is required by law to share this information with the parties listed above, as the sharing is not classed as a routine disclosure or a formal working arrangement, we are not required to enter into a formal data sharing agreement.

There may be occasions when we must share your personal data with Welsh Government for statistical and analysis reasons. Welsh Government use personal data held by us to regulate how we discharge our public functions. For more information please visit the Welsh Governments [website](#).

We will not transfer your data to any countries outside of the [European Economic Area](#). If we do, we will inform you as soon as possible and you can expect a similar degree of protection in respect of your personal data.

7. HOW LONG WE KEEP YOUR PERSONAL DATA

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. The personal data collected in accordance with the processing detailed in this notice will be retained for 6 years after the case has been closed. After this date, your personal data will be securely destroyed.

Details of retention periods for different aspects of your personal data are available in our Records Management Policy which is available on our website ([www.merthyr.gov.uk](http://www.merthyr.gov.uk)).

8. HOW WE KEEP YOUR PERSONAL DATA SECURE

We have implemented appropriate security measures to prevent your personal data from being accidentally lost, used, accessed, altered, or disclosed in an unauthorised way. We limit access to your personal data to those employees who have a business need to know. Our employees will only process your personal data on our instructions, and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so. You can find out more about how we keep your personal data secure by contacting our Information Security Officer on [information.security@merthyr.gov.uk](mailto:information.security@merthyr.gov.uk).

9. YOUR LEGAL RIGHTS

In certain circumstances, you have rights under data protection laws in relation to your personal data. These are outlined in the GDPR and include:

- The right to Rectification – you have the right to ask to have your information corrected.
- The right to Restrict processing may apply – you may request that we stop processing your personal data however, this may delay or prevent us delivering a service to you. We will seek to comply with your request but may be required to hold or process information to comply with our legal duties.
- The right to Object – this is not an absolute right and will depend on the reason for processing your personal information.
- The right to not be subject to Automated decision making and profiling.
- The right of Access – you have the right to ask us for copies of your personal data. To make a request, please contact the Information Governance Team.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if you make any changes to your personal data so that we can update our records.

If you want to review, verify, correct, request erasure, object, or request that we transfer a copy of your personal data to another party, please contact the Data Protection Officer in writing using the contact details provided at the top of this notice.

10. FURTHER DETAILS

You also have the right to make a complaint at any time to our Data Protection Officer, whose contact details are provided above, or the Information Commissioner's Office, the UK supervisory authority for data protection issues:

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| Address: | Information Commissioner’s Office (Wales), 2 <sup>nd</sup> Floor, Churchill House, Churchill Way, Cardiff, CF10 2HH |
| Email:   | <a href="mailto:wales@ico.org.uk">wales@ico.org.uk</a>  |
| Tel:     | 0330 414 6421   |

If you are looking for more information on how we process your personal data including data security, data retention, individual rights please access our [full privacy policy](#). You can also obtain information directly from Information Commissioners Office [website](#), [www.ico.org.uk](http://www.ico.org.uk).